

**MINUTES OF THE
JOINT PUBLIC EDUCATION APPROPRIATIONS SUBCOMMITTEE MEETING
WEDNESDAY, JANUARY 30, 2008, 2:00 P.M.
Room W135, West Office Building, State Capitol Complex**

Members Present: Sen. Howard A. Stephenson, Co-Chair
Rep. Bradley G. Last, Co-Chair
Sen. Patricia W. Jones
Sen. Kevin T. Van Tassell
Rep. Tim M. Cosgrove
Rep. Lorie D. Fowlke
Rep. Gage Froerer
Rep. Ronda Rudd Menlove
Rep. Karen W. Morgan
Rep. Phil Riesen
Rep. Carl Wimmer

Members Absent: Sen. Lyle W. Hillyard
Rep. Brad L. Dee
Rep. Gregory H. Hughes
Rep. Aaron Tilton

Staff Present: Ben Leishman, Legislative Fiscal Analyst
Patrick Lee, Legislative Fiscal Analyst
Cherie Schmidt, Secretary

Public Speakers Present: Carol Goodson, State Fine Arts Specialist
Shirley Ririe, Ririe-Woodbury Dance
Michael Ballam, Founder/Gen. Director, Utah Festival Opera
David Dee, Director of Utah Museum of Fine Arts
Megan Hallett, Curator of Education and Coordinator of Art in a Box Program
DeDe Mower, Fourth Grade Teacher, Rosecreek Elementary
Larry Shumway, Deputy Superintendent, USOE
Brenda Hales, Associate Superintendent, USOE
Todd Hauber, Associate Superintendent, USOE
Rep. Julie Fisher
Rep. Jim Bird
Rep. Carol Moss
Rep. Patricia W. Jones
Rep. Steven R. Mascaro
Ruth Ellis, IB Coordinator, Skyline High School
Kathy Clark, Principal, Skyline High School

A list of visitors and a copy of handouts are filed with the Subcommittee minutes.

Co-Chair Last called the meeting to order at 2:25 p.m.

1. **Unfinished Business from January 28, 2008** - There was no unfinished business from the meeting of January 28, 2008.
2. **Analyst Budget Presentation - Fine Arts Outreach** - Ben Leishman, Legislative Fiscal Analyst, referred to the Budget Brief - Education in the Fine Arts. During the 2006 General Session, the Legislature bifurcated the Fine Arts and Sciences Program into two separate budgetary line-items, The Fine Arts Outreach Program and the Science Outreach Program. Both programs provide similar types of services in the schools (demonstration, presentations, and educational activities), but differ significantly in subject matter. Total program funding in FY 2009 totals \$2,989,600. Funding is split among the three operating programs, with the greatest portion supporting the POPS Program.
Mr. Leishman stated that the State Board of Education has requested an additional funding to provide one more POPS provider. This is the Museum of Fine Arts. The Analyst recommends that the Subcommittee prioritize \$100,000 in ongoing Uniform School Funds to support the inclusion of the Utah Museum of Fine Arts in the POPS Program. There is \$2.9 million supporting the program. This is divided between the POPS Program at \$2.8 million, requests for proposals at \$70,000, and the Subsidy Program at \$54,500.
3. **Agency Comment & POPS Presentation** - Carol Goodson, State Fine Arts Specialist, presented this agenda item and referred to a handout entitled, *Arts Professional Outreach Program in the Schools 2006-2007 Executive Summary*. The POPS Program falls into three categories: those that receive ongoing funding (POPS), those who receive annual funding (RFP), and a subsidy category. Together they provide outreach performances, presentations, workshops, and instructional materials to help students and teachers develop Life Skills and achieve Art Core objectives. The handout provides a financial summary which includes Legislative Funding of \$2,634,571 and Money Leveraged at \$4,593,178, which brings the total to \$7,227,749. Needed funding for this program includes requested increases by moving the \$100K one-time POPS funding to ongoing, a cost of living increase for the POPS funding, and the request from the State Board of Education for \$85,608 new ongoing funding to move the UMFA from the RFP category to ongoing POPS funding.

Shirley Ririe of Ririe-Woodbury Dance addressed the Subcommittee in support of the POPS Program. Ms. Ririe referred to a handout entitled, *POPS Professional Outreach*

Programs in the Schools. This handout details some of the services that have been provided due to the 2007 Legislative funding increase of \$450,000 (\$350,000 Ongoing and \$100,000 one-time funding).

Michael Ballam, Founder/Gen. Director of the Utah Festival Opera, also addressed the Subcommittee in support of the POPS Program. He expressed his appreciation for entrusting the POPS Program with public resources to benefit the children throughout the state. Mr. Ballam also gave a musical number written by Janice Kapp Perry. A performance was also given by a string quartet of young people sponsored by the Adult Symphony and dancers from Children's Dance Theater. There were also Shakespear actors from Cedar City.

4. **Utah Museum of Fine Arts** - David Dee, Director of Utah Museum of Fine Arts, addressed the Subcommittee in support of the addition of the Utah Museum of Fine Arts to the POPS Program. Mr. Dee explained the program Art in a Box. This program was launched in 2004. Since that time, the program has served more than 17,500 students in 35 districts throughout the state. Megan Hallett, Curator of Education and Coordinator of Art in a Box Program, further explained this program. She stated that a funding request is needed for \$100,000 ongoing funding as part of the POPS Organization in order to continue and expand outreach efforts through Art in a Box. Ms. Hallett explained that Art in a Box is a statewide elementary outreach program that offers curriculum-based visual arts instruction and training to teachers and students through in-class presentations and professional development. Classrooms are transformed into art studios and supplied with art-making materials for use in all classrooms; extra materials are supplied as needed. Tools and lesson plans become permanent property of the schools. Teachers are encouraged to use the materials in Art in a Box across disciplines to complement other subjects within the curriculum. Artwork was given to the Subcommittee members from an elementary school in Kaysville utilizing the tools in the Print-Making Box. The funding requested will allow this program to expand with additional boxes and staff support. Additional funding will increase the number of visits to schools and increase the amount of hours spent in each school annually. DeDe Mower, a fourth grade teacher at Rosecreek Elementary, has participated in Art in a Box and expressed her support for this program. Rep. Menlove expressed support for this kind of program in rural schools. Co-Chair Stephenson asked for information on the coverage provided for student exposure to professional outreach arts in the schools. He asked for data on how many times a student is exposed to one or more of these experiences throughout the school year, and are there some students who have multiple experiences or others who receive none of these experiences. Co-Chair Stephenson asked for an analysis between now and the interim meeting in the summer of how it can be ensured that every student receives these experiences. Carol Goodson stated that this information would be made available. Co-Chair Stephenson also expressed concern over the commitment of schools and

teachers to this program. He stated that schools should make this an optimal experience and complete the preparation before and after the presentation. Ms. Goodson indicated that this is a problem, but work is being done to overcome the gap.

5. **Analyst Budget Presentation - Utah State Office of Education** - Patrick Lee, Legislative Fiscal Analyst, presented the Budget Brief - Utah State Office of Education. The first issue discussed was the Carson-Smith Special Needs Scholarship, which gives scholarships to special needs students who are attending private schools. The Analyst recommends the Legislature include in the priority list \$1.5 million ongoing from the General Fund to support the Carson-Smith Scholarship Program. This would bring the program total to \$3 million. As part of this total, it is recommended that \$100,000 be authorized as administrative expenses for the program.
- The second issue presented by Mr. Lee is the Parent Choice in Education Act or H.B. 148 from the 2007 General Session. Appropriations were \$3 million one-time and \$9,400,000 ongoing monies from the General Fund. Due to the outcome of Referendum 1 in November 2007, the Analyst recommends that the Legislature remove \$3 million one-time and \$9.4 million ongoing funds that were appropriated for the Parent Choice in Education Act from the Base Budget. The recommendations for the Legislature to consider are the following:
1. Reallocate within the base budget to meet Subcommittee priorities as detailed in the table contained in this Brief.
 2. In regards to the Parent Choice Education Act, reduce the base budget by \$9.4 million ongoing and \$3 million one-time.
 3. Prioritize the \$1.5 million from the General Fund to the Carson-Smith Scholarship Program for a total budget of \$3 million.

The next item discussed was the Budget Brief - USOE Indirect Cost Pool. The State Office of Education operates one Internal Service Fund (ISF) Program: The Office of the Superintendent Indirect-Cost Pool (ICP). The ICP funds those programs and individuals who administer the State Office of Education. It supports administrative, accounting, purchasing, and government liaison functions of the USOE. Because the Internal Service Funds are not funded directly through a state fund appropriation but rather operate by charging the Utah State Office of Education, Utah State Office of Rehabilitation, and Child Nutrition Program, it is necessary that the Legislature review the Internal Service Fund budget and authorize its revenue, its rates, and FTE levels. Rates approved by the Legislature FY 2008 were 14.6 percent for restricted funds and 17.1 percent for unrestricted funds that were extended on personal services in each of the operating divisions. As of the writing of this brief, the rates have not yet been approved this year.

from the Department of Education but have been proposed by the State Office. For FY 2009 rates are estimated to be lowered to 11.0 percent for restricted funds and 15.0 percent for unrestricted. The Analyst recommends that the Legislature consider adopting the revenue and FTE levels as detailed in the Budget Detail Table - Indirect Cost Pool, as well as the following estimated FY 2009 of 11.0 percent of personal services costs supported by restricted funds and 15.0 percent of personal service costs supported by unrestricted funds.

6. **Analyst Budget Presentation - Educator Licensing** - Mr. Lee also discussed the Budget Brief - Educator Licensing. Educator licensing at the State Office oversees the issuing of teacher licenses throughout the state. Last year the Legislature created a separate and new line item specifically for Educator Licensing, which was essentially created to ensure that the cost of operating the division were paid solely by the fees that were collected. The Analyst recommends that the Legislature adopt the changes in the fee schedule plan for Educator Licensing for FY 2009.
7. **Agency Comment & Recommendations** - Larry Shumway, Deputy Superintendent, USOE, began his presentation with a discussion of the Carson Smith Special Needs Scholarships. Dr. Shumway stated that the 2007-2008 scholarships were allocated an appropriation of \$1.5 million in ongoing funds, \$900,000 in one-time appropriation, and \$494,000 carry forward from previous scholarships funds. Approximately \$2.4 million is awarded presently. This program has grown significantly from 108 students participating in the 2005 six-year program to 499 students participating this year. There were nine schools participating in the first year and now there are 39 schools participating. Dr. Shumway indicated that the \$3 million total ongoing appropriation will support a level of growth that was anticipated both in the recently completed Legislative audit and from the State Office data.

The next item discussed by Dr. Shumway was PEJEP (Public Education Job Enhancement Program). Co-Chair Stephenson had asked for specific information on how funds were allocated by subject. A chart was given to the Subcommittee detailing this information.

Superintendent Hales spoke on the Electronic High School. This appropriation is to increase capacity to handle escalating demand for student seats in EHS classes and to improve services to meet accreditation standards. The USBE is asking for an increase in appropriation from \$2 million to \$4 million.

Dr. Shumway discussed an appropriation for **USBE Budget Request 2.15 Utah K-8 Online School**. This appropriation is to develop curriculum for 7th and 8th grade subjects for 14 full online classes matched to the Utah core curriculum. Future allocations will be

used to hire teachers and begin delivering 7th and 8th grade classes a la carte to students, develop curriculum for grades 4-6 and then grades 1-3 and in turn, deliver the curriculum online a la carte. The amount requested is \$360,311.

Todd Hauber, Associate Superintendent, addressed the Subcommittee concerning the Regional Service Centers. The appropriation request is for an \$83,000 increase for the increase in the compensation package.

8. Presentation of Bills with Fiscal Impact - Several bills were heard by the Subcommittee members.

Rep. Julie Fisher presented H.B. 280 School Finance Amendments. This bill provides basic funding for the Minimum School Program, eliminates the state appropriation for Social Security and retirement for public school employees, and increases the value of the WPU. This bill appropriates as an ongoing appropriation, \$2,306,524,711 from the Uniform School Fund for fiscal year 2008-09 and as an ongoing appropriation, \$21,000,000 from the Interest and Dividends Account. Rep. Dougall also spoke in support of this bill.

Rep. Bird presented H.B. 88 Elementary Education Co-Teaching Pilot Program. This bill creates an optional grant program to provide an elementary education co-teaching pilot program. This bill appropriates as an ongoing appropriation subject to future budget constraints, \$5,000,000 from the Uniform School Fund for fiscal year 2008-09 to the State Board of Education.

Rep. Moss presented H.B. 266 Accelerated Learning Program Revisions. This bill modifies the State System of Public Education Code by authorizing the use of appropriations for accelerated learning programs for International Baccalaureate. This bill appropriates as an ongoing appropriation subject to future budget constraints, \$300,000 from state and local funds for fiscal year 2008-09 to accelerated learning programs. Ruth Ellis, IB Coordinator at Skyline High School, and Kathy Clark, Principal of Skyline High School, spoke in support of this bill.

Rep. Jones presented S.B 61 Financial Literacy Education. This bill makes changes related to school financial literacy education. This bill appropriates subject to future budget constraints, \$100,000 from the Uniform School Fund for fiscal year 2008-09 to the State Board of Education for financial literacy professional development and assessments and \$150,000 from the Uniform School Fund for fiscal year 2008-09 only to the State Board of Education for curriculum integration and development of assessments and materials related to financial literacy.

Rep. Mascaro presented H. B. 232 Elementary School Math Initiative. This bill creates an elementary school math initiative. The bill appropriates as an ongoing appropriation subject to future budget constraints, \$18,000,000 from the Education Fund to the State Board of Education.

Rep. Draxler presented H.B. 91 Center for the School of the Future Incentives. This bill provides an appropriation for an incentive program for schools to use the services of the Center for the School of the Future at Utah State University. This bill appropriates as an ongoing appropriation subject to future budget constraints, \$250,000 from the Education Fund for fiscal year 2008-09 to the State Board of Education and \$50,000 from the Education Fund for fiscal year 2008-09 to Utah State University.

7. **Other Committee Business** - There was no other Subcommittee business.
8. **Adjourn** -

MOTION: Rep Wimmer moved to adjourn the meeting.

Co-Chair Last adjourned the meeting at 5:15 p.m.

Minutes were reported by Cherie Schmidt, Secretary

Sen. Howard Stephenson, Co-Chair

Rep. Bradley G. Last, Co-Chair